

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes for March 3, 2009**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, March 3, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Richard, Pearson, Jasparro, Dias and Preiss. Commissioners Filippi, Jackson, Blackburn and Walker were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #040282A: The Diocese of Providence, for the property located at 85 Chester Avenue, Cranston (St. Mary School). Lt. Glen Bathgate appeared for the Cranston Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to approve the Applicant's plan of action and to grant a time variance until September of 2010 in which to implement that plan of action. The motion was unanimous.

APPEAL #060107B: The Diocese of Providence, for the property located at 43 Poplar Drive, Cranston (Cranston/Johnston Catholic Regional School). Lt. Glen Bathgate appeared for the Cranston Fire Marshal's office. Carol Ann Nelson, AIA, representing the Diocese, testified that the Immaculate Conception Regional School, which will

replace CJCR, is slated to open on September 1, 2009. Commissioner Dias made a motion, seconded by Commissioner Pearson, to grant the Applicant a time variance until December 31, 2009 by which time the Cranston/Johnston Catholic Regional School will be vacated, and the new school, Immaculate Conception Regional, will be operational.

There was no objection from the Cranston Fire Marshal's office and the motion passed unanimously.

APPEAL #040194A: The Diocese of Providence, for the property located at 55 Turner Avenue, East Providence (St. Brendan's School). ADSFM James Bellamy appeared for the East Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plan of action and to grant a time variance until September 1, 2010 in which to implement that plan of action. The Board authorizes the East Providence Fire Marshal's office to extend the above deadline for good faith efforts shown by the Applicant. The motion was unanimous.

APPEAL #060105A: The Diocese of Providence, for the property located at 56 Purchase Street, East Providence (Sacred Heart School).

ADSFM James Bellamy appeared for the East Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Dias, to grant the applicant the following relief. The Applicant is granted a time variance until September 1, 2011, in which to fully sprinkle this facility. The Applicant is granted a variance from

deficiencies 1 and 2 pursuant to the Applicant's testimony that sprinklers will be installed by the above deadline. The Applicant is directed to correct deficiencies 4 and 5 at the direction and to the satisfaction of the East Providence Fire Marshal's office, and the Applicant is directed to remove the stove cited in deficiency 6. The motion was unanimous.

APPEAL #060109A: The Diocese of Providence, for the property located at 55 Elmhurst Avenue, Providence. ADSFM Lisa Krapf and ADSFM Christopher Dillon appeared for the Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to grant the following relief. The Applicant is granted a variance on item #11, #15 and #22 on the basis of structural hardship and based on the fact that the facility is fully sprinklered and alarmed. The Applicant is also granted a variance to maintain the cited door in the secretary's office in the open position. The Applicant is granted a time variance until September 1, 2009 in which to make all other corrections based on the March 23, 2007 deficiency report submitted by the Providence Fire Marshal's office. The motion was unanimous.

APPEAL #060126A: The Diocese of Providence, for the property located at 239 Regent Avenue, Providence (Blessed Sacrament School). ADSFM Lisa Krapf and ADSFM Christopher Dillon appeared for the Providence Fire Marshal's office. (Note: Commissioner Pearson left the hearing at this point. For this case only, Vice

Chairman Newbrook acted as Chair.) Chairman Coutu made a motion, seconded by Commissioners Richard and Jasparro, to grant the following relief. The Applicant is directed to remove the cited stringers holding artwork and teaching materials within ten (10) days from the date of the hearing. A variance is granted for items 11 and 15 based on structural hardship. A variance is granted for items 26 and 27. The Applicant is directed to correct items 24 and 25 within thirty days. All other deficiencies identified at the March 3, 2009 hearing will be corrected on or before September 1, 2010. The motion was unanimous.

APPEAL #060127A: The Diocese of Providence, for the property located at 155 Gordon Avenue, Providence (Bishop McVinney School). ADSFM Lisa Krapf and ADSFM Christopher Dillon appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Dias, to approve the Applicant's plan of action for this facility. All work assigned to Phase I will be completed by September 2009 and all work assigned to Phase II will be completed by September 1020. The Applicant is directed to work with the mechanical inspector to evaluate the location of the gas main under the stair enclosure. The motion was unanimous.

Old Business: Mr. Frank Bragantin, Project Manager for the Ferland Corporation, returned with plans of action for properties in Providence and Woonsocket. (Commissioner Dias recused himself

from consideration of these cases.) DSFM Christopher Dillon appeared for the Providence Fire Marshal's office and Captain Thomas Papa and Lt. Francis Dunton appeared for the Woonsocket Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plans of action as agreed to by the parties. These files are to be left open for the duration of the projects. The motion was unanimous.

Respectfully submitted,

Carol Marsella

Deputy Director